

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HEARTLAND REHABILITATION
SERVICES, INC., an Ohio Corporation,

Plaintiff,

Case No. 06-11769

v.

District Judge Arthur J. Tarnow
Magistrate Judge R. Steven Whalen

JOHN MEKJIAN and PERFORMAX
PHYSICAL THERAPY, P.C.,
a Michigan Corporation,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART
DEFENDANTS' FIFTH MOTION TO QUASH SUBPOENA**

Before the Court is Defendants' Fifth Motion to Quash Subpoenas [Docket #63]. For the reasons and under the terms stated on the record on October 19, 2006, this Motion is GRANTED IN PART AND DENIED IN PART, as follows:

1. As to the subpoenas directed at AOL, the Motion is GRANTED and the subpoena quashed only insofar as it is directed at the content of the requested emails. However, the Motion is DENIED as it relates to the "headers," i.e., the address, date, time and subject line preceding the text or content, and the subpoena may issue with those restrictions.

2. As to the subpoena directed at AT&T for telephone records, the Motion to Quash is DENIED.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: October 19, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on October 19, 2006.

S/Gina Wilson
Judicial Assistant